

REMARKS

Reconsideration and withdrawal of the rejections set forth in the Office action dated March 16, 2007 are respectfully requested in view of the following remarks.

Obviousness-Type Double-Patenting Rejections

A. Claims 1-10 were rejected on the ground of obviousness-type double-patenting as allegedly unpatentable over claims 1-42 of USPN 6,365,179 in view of Rahman et al. (USPN 5,648,090), Rahman et al. (USPN 5,560,923), Thierry et al. (FASEB J. 6:572-79, 1993), Warren et al. (*Cancer Res.* 52:3241-45, 1992), individually or in combination.

B. Claims 1-10 were rejected on the ground of obviousness-type double-patenting as allegedly unpatentable over claims 1-9 of USPN 6,984,396 in view of Rahman et al. (USPN 5,648,090), Rahman et al. (USPN 5,560,923), Thierry et al. (FASEB J. 6:572-79, 1993), Warren et al. (*Cancer Res.* 52:3241-45, 1992), individually or in combination.

C. Claims 1-10 were rejected on the ground of obviousness-type double-patenting as allegedly unpatentable over claims 10, 11, and 22-47 of USPN 6,342,244 in view of Rahman et al. (USPN 5,648,090), Rahman et al. (USPN 5,560,923), Thierry et al. (FASEB J. 6:572-79, 1993), Warren et al. (*Cancer Res.* 52:3241-45, 1992), individually or in combination.

D. Claims 1-10 were rejected on the ground of obviousness-type double-patenting as allegedly unpatentable over claims 10, 11, and 22-47 of USPN 6,849,270 in view of Rahman et al. (5, 648,090), Rahman et al. (5, 560,923), Thierry et al. (FASEB J. 6:572-79, 1993), Warren et al. (*Cancer Res.* 52:3241-45, 1992), individually or in combination.

Response

The Examiner indicated that a timely filed Terminal Disclaimer in compliance with 37 C.F.R. § 1.321(c) or 1.321(d) could be used to overcome the rejections.

For the purposes of advancing prosecution, Applicants submit herewith a Terminal Disclaimer over related USPNs 6,365,179, 6,984,396, 6,342,244, and 6,849,270. The filing of the Terminal Disclaimer presumably addresses the rejection.

Withdrawal of the double-patenting rejections is respectfully requested.

CONCLUSION

In view of the foregoing, Applicants submit that the application is fully in condition for allowance. Early notice to that effect is earnestly requested.

The Examiner is invited to contact Applicants' representative at (650) 838-4328 as needed to further prosecution.

Respectfully submitted,
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Date: June 13, 2007


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